

REMARKS

In accordance with the above amendments, claims 1, 13-15, 17-19, 21-33 and 35-36 have been amended and remain under consideration in the present application. No claim stands as having been allowed.

Amendments to the claims were made noted to clarify language in certain cases and, in the case of claims 4 and 21, to correct the dependency.

All the claims under consideration have been rejected under 35 USC § 103(a) as being unpatentable over Haefner et al (U.S. 5,690,683) in view of either of two patents to Zhu et al (U.S. 6,044,296 or U.S. 5,843,136), all of record. This rejection is respectfully traversed and reconsideration by the Examiner is again requested. Applicants believe that, while the Haefner et al reference discloses a generally similar concept, they remain convinced that Haefner et al does not disclose the claimed afterpotential attenuating circuit of the invention nor does it disclose or suggest any need for a different circuit, let alone the very versatile capture sensing system of the present invention. The fact that Haefner et al may disclose the use of unipolar or bipolar sensing and that Zhu et al may disclose a particular afterpotential attenuation means, does not suggest the development of a system concept as useful as that of the present invention in which any electrode combination can be used to sense

capture. This clearly gives the system of the present invention use possibilities beyond that contemplated by either Haefner et al or either Zhu et al, or a combination of them, absent the inventive step disclosed in the present specification. This is clearly carried a step further than anything contemplated by the references. Accordingly, the Examiner is respectfully requested to reconsider his position, withdraw the present rejection and allow the present claims.

Should the Examiner be inclined to allow the claims except for issues which could possibly be resolved by telephone, he is asked to contact the undersigned attorney at his convenience in an effort to resolve same and expedite prosecution of this application.

Respectfully submitted,

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that the foregoing Amendment Under 37 CFR 1.111 in response to the Non-Final Official Action mailed January 26, 2005, in application Serial No. 09/206,329, filed on December 8, 1998, of Geng Zhang et al, entitled "AUTOCAPTURE PACING/SENSING CONFIGURATION", and a transmittal letter are being sent by facsimile transmission to: The Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on April 26, 2005.



Barbara L. Davis

On behalf of C. G. Mersereau

Date of Signature: April 26, 2005